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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,466	10/26/2001	Tae-Sung Jung	678-765 (P9938)	4005
28249	7590	03/10/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			LE, DANH C	
			ART UNIT	PAPER NUMBER
			2683	
DATE MAILED: 03/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,466

Applicant(s)

JUNG, TAE-SUNG

Examiner

DANH C LE

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 is/are allowed.
- 6) ☒ Claim(s) 6 and 8 is/are rejected.
- 7) ☒ Claim(s) 7 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Khalil (US 6,578,085).

As to claim 6, Khalil teaches a handover method for a mobile node (figure 4, 5) having a mobile IP address in a source foreign agent (FA) of a mobile communication system, comprising the steps of:

transmitting a Binding Warning message (7) to a home agent (16) if the MN moves to the target FA (18) with a data transmission/reception path established in the area of the source FA (28); and

transmitting a Binding Acknowledge message (4) to the target FA including an IP tunneling status value upon receipt of a Binding Update message from the target FA, and releasing an established IP tunnel between the source FA and a core network (9) .

As to claim 8, Khalil teaches a handover method for an MN having a mobile IP address in a target FA of a mobile communication system (figure 4, 5), comprising the steps of:

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transmitting a Binding Update message (3) to a source FA upon receipt of a Registration Request message from the MN requiring a handover (2);

transmitting the Registration Request message (7) to an HA for the MN upon receipt of a Binding Acknowledge message from the source FA; and

establishing a radio channel between the MN and the target FA and exchanging data on a radio channel.

Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-5 are allowable as stated in the Applicant's response on pages 2, 3.

Claims 7 and 9 are objected in the previous Office Action.

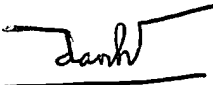
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. McKenna et al (US 6594,498) teaches communiqué system for cellular communication networks.

B. Chang et al (US 6,487,406) teaches PCS to mobile IP internetworking.

C. Leung et al (US 6,466,964) teaches method and apparatus for providing mobility of a node that does not support mobility.



DANH CONG LE
PATENT EXAMINER